

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN P. JANDREW,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	1:23-cv-800
DOCTOR CORIGAN, MEDICAL	)	
DIRECTOR, Well Path, DOE	)	
DISCOVERY, OFFICER BAILEY	)	
Housing Officer, member of	)	
Perk Team, OFFICER KEHELY,	)	
and OFFICER LENARD, MDO,	)	
	)	
Defendants.	)	

**ORDER**

The matter is before this court for review of the Order and Recommendation ("Recommendation") filed on August 6, 2024, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 34.) In the Recommendation, the Magistrate Judge recommends granting Plaintiff's first "Motion to Amend Complaint; extension for time" and recommends denying Plaintiff's "Motion to Sever Claims and Partys." In addition, the Magistrate Judge also recommends that the "Motion to Dismiss the Complaint, or in the Alternative, Motion for Summary Judgment . . ." be terminated as moot and the "Motion to Dismiss the Amended Complaint, or in the Alternative, Motion for Summary Judgment . . ." be granted. The Recommendation was served on

the parties in this action on August 6, 2024. (Doc. 35.) Plaintiff timely filed objections, (Doc. 43), to the Recommendation, and the Officer Defendants responded, (Doc. 45).

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which the objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 34), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's motion entitled "Motion to Sever Claims and Partys," (Doc. 12), is **DENIED**.

**IT IS FURTHER ORDERED** that the "Motion to Dismiss the Complaint, or in the Alternative, Motion for Summary Judgment of Defendants Officer Bailey, Officer Kehely, and Officer Lenard," (Doc. 14), is **DENIED as MOOT**.

**IT IS FURTHER ORDERED** that the "Motion to Dismiss the Amended Complaint, or in the Alternative, Motion for Summary Judgment, of Defendants Officer Bailey, Officer Kehely and Officer Lenard," (Doc. 21), is **GRANTED** and all claims against those Defendants are hereby **DISMISSED**.

**IT IS FURTHER ORDERED** that all claims against Defendants "Medical Director" and "Doe Discovery" are hereby **DISMISSED**.

This the 23rd day of September, 2024.

  
United States District Judge